

#3



COPY OF PAPERS  
ORIGINALLY FILED

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/998,001	11/29/2001	Jack D. Taylor	KCX-387 (15828)

CONFIRMATION NO. 3912

FORMALITIES LETTER



\*OC000000007201258\*

TIMOTHY A. CASSIDY  
Dority & Manning  
Attorneys at Law, P.A.  
P.O. Box 1449  
Greenville, SC 29602

Date Mailed: 12/17/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$444.
  - \$360 for 20 total claims over 20.
  - \$84 for 1 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1314.

*A copy of this notice MUST be returned with the reply.*

R.B.  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

# FILING COMPLETION UNDER 37 CFR 52, 53, and/or 85

In re Application of: Jack D. Taylor

Attention: Application Branch

Serial No.: 09/998,001

COPY OF PAPERS  
ORIGINALLY FILED

Date: February 14, 2002

Filed: November 29, 2001

Attorney Docket No.: KCX-387 (15828)

Confirmation No.: 3912

Art Unit: 1732

Title: Breathable and Elastic Polyurethane Films  
And Laminates Containing Same

Our Account No.: 04-1403

Commissioner for Patents  
U.S. Patent and Trademark Office  
Washington, DC 20231

Sir:

The following completes the filing of the above-identified patent application under Rule 52, 53, and/or 85:

- [X] Rule 53 signed Declaration enclosed.  
[ ] This is a Rule 47 filing per attached Petition.  
[ ] Enclosed: Original signed Declaration with attached specification (including claims) which is a copy of specification/claims originally filed to secure above filing date.  
[ ] Specification originally filed in non-English language; hence verified translation attached of:  
[ ] Abstract [ ] pages of Specification (only spec. & claims) [ ] Drawing Figs.  
[ ] sheet(s) of formal drawings enclosed: size: [ ] A4 [ ] 14" [ ] 8½ by 11  
[ ] Attached is an assignment to \_\_\_\_\_  
[ ] Priority is hereby claimed under rule 55 and 35 U.S.C. 119 based on prior foreign application(s) no(s) \_\_\_\_\_, filed in \_\_\_\_\_ on \_\_\_\_\_, respectively.

- Certified copy (copies) [ ] attached; [ ] already filed on \_\_\_\_\_ in U.S. Application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_  
[ ] "Small Entity" status under Rules 9 & 27 claimed. [ ] Attached: \_\_\_\_\_ Verified Statement(s) establishing "small entity."  
[X] Attached is the request return copy of the PTO Notice under Rule 52, 53, and/or 85.  
[ ] Attached: \_\_\_\_\_  
[ ] Preliminary Amendment: \_\_\_\_\_

## THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED PER MPEP § 506 AND § 607

If not earlier paid, add Basic Filing Fee .....	\$ 740.00
Total Effective Claims <u>40</u> - 20 = <u>20</u> x \$18.00 =	\$ 360.00
Independent Claims <u>4</u> - 3 = <u>1</u> x \$84.00 =	\$ 84.00
If <u>any proper</u> multiple dependent claim (ignore improper) is present, add \$280.00 Filing Fee	\$

Since PTO Notice under Rule 52, 53, and/or 85 set an original due date of \_\_\_\_\_, petition is hereby made for an extension to cover the date this response is filed for which the requisite fee is enclosed (1 month \$110; 2 months \$400; 3 months \$920; 4 months \$1440).

If this is the <u>first</u> time either signed Declaration filed or filing fee paid, add Surcharge (\$130)	\$ 130.00
Subtotal	\$ 1,314.00
If "small entity" status box above is X'd, enter half (1/2) of subtotal & <u>subtract</u>	\$
Total =	\$ 1,314.00
If "non-English" box above is X'd, add Rule 17(i) or (k) processing fee (\$130.00) .....	\$
If "assignment" box is X'd, add recording fee (\$40.00) .....	\$
If "Rule 47" box above is X-d, add Petition fee \$130.00 Rule 17(h) .....	\$
<b>TOTAL FEE ENCLOSED</b>	<b>\$ 1,314.00</b>

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

ADDRESS:  
Post Office Box 1449  
Greenville, South Carolina 29602  
Phone: 864-271-1592  
Facsimile: 864-233-7342

DORITY & MANNING  
ATTORNEYS AT LAW, P.A.

By Atty: Timothy A. Cassidy Reg. No. 38,024

Signature: Timothy A. Cassidy Date: February 14, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, Washington, DC 20231, on February 14, 2002.

Kim Bradley

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

COPY OF PAPERS  
ORIGINALLY FILED

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$) **1314.00****Complete if Known**

Application Number	09/998,001
Filing Date	11/29/2001
First Named Inventor	Jack D. Taylor
Examiner Name	Unknown
Group Art Unit	1732
Attorney Docket No.	KCX-387 (15828)

**METHOD OF PAYMENT**

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

04-1403

Deposit  
Account  
Name

Dority &amp; Manning, Attorneys at Law, P.A.

- ☒
- Charge Any Additional Fee Required
- 
- Under 37 CFR 1.16 and 1.17

- ☐
- Applicant claims small entity status.
- 
- See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:**

- ☒
- Check
- ☐
- Credit card
- ☐
- Money
- 
- Order
- ☐
- Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
101	740	201	370	Utility filing fee
106	330	206	165	Design filing fee
107	510	207	255	Plant filing fee
108	740	208	370	Reissue filing fee
114	160	214	80	Provisional filing fee

**Fee Paid**

740.00

**SUBTOTAL (1)** (\$) **740.00****2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
40	-20** = 20	18.00	360.00
4	-3** = 1	84.00	84.00
			0.00

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**(\$ **444.00**)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) **130.00****SUBMITTED BY**

Name (Print/Type)

Timothy A. Cassidy

Registration No.  
(Attorney/Agent)

38,024

Complete (if applicable)

Telephone

(864) 271-1592

Signature

Date

02/14/2002

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.